

FILED

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2011 AUG 19 PM 3: 28

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

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18 Attorneys for Plaintiff

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VETH MAM,

Plaintiff,

vs.

CITY OF FULLERTON; MICHAEL
SELLERS, Chief of Police individually and
as a peace officer; KENTON HAMPTON
#1337, individually and as a peace officer;
FRANK NGUYEN #1307, individually and
as a peace officer; JONATHAN W.
MILLER #1350, individually and as a
peace officer; DANIEL SOLORIO #1086,
DOE REYNOSO # UNKNOWN, DOES 1-
10,

Defendants.

Case No.: SHCV11-1243-JST (MLG)

COMPLAINT FOR DAMAGES

1. Violation of Civil Rights
(42 U.S.C. § 1983)
2. *Monell* Claim
(42 U.S.C. § 1983)
3. Conspiracy to Violate Civil Rights
(42 U.S.C. § 1985(2))
4. Conspiracy to Violate Civil Rights
(42 U.S.C. § 1985(3))
5. Failure to Intervene
(42 U.S.C. § 1986)

DEMAND FOR JURY TRIAL

1 **JURISDICTION**

2 1. Jurisdiction of this Court is invoked under 28 U.S.C. §§ 1343, (1), (2), (3)
3 and (4). This action at law for money damages arises under 42 U.S.C. § 1983 and the
4 United States Constitution, the laws of the State of California and common law principles
5 to redress a deprivation under color of state law of rights, privileges and immunities
6 secured to Plaintiff by said statutes, and by the First, Fourth, and Fourteenth Amendments
7 of the United States Constitution.

8
9 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

10 1. At all times herein mentioned, Plaintiff VETH MAM was a resident of the
11 County of Los Angeles, City of Baldwin Park, of Cambodian descent.

12 2. At all times herein mentioned, Defendants MICHAEL SELLERS, Chief of
13 Police individually and as a peace officer, KENTON HAMPTON #1337, individually
14 and as a peace officer, FRANK NGUYEN #1307, individually and as a peace officer,
15 JONATHAN W. MILLER #1350, individually and as a peace officer, DANIEL
16 SOLORIO #1086, DOE REYNOSO # UNKNOWN, DOES 1-10, inclusive and each of
17 them, were employees of the City of Fullerton and the Fullerton Police Department.
18 Defendant SELLERS is and all relevant times, the highest ranking law enforcement
19 policymaker for the City of Fullerton.

20 3. Defendant CITY OF FULLERTON (hereinafter referred to as "CITY") is
21 and at all times herein mentioned has been a public entity and an incorporated county
22 duly authorized and existing as such in and under the laws of the State of California; and
23 at all times herein mentioned, Defendant CITY has possessed the power and authority to
24 adopt policies and prescribe rules, regulations and practices affecting the operation of
25 Defendant Fullerton City Police Department, (FPD) and particularly said Department's
26 Patrol, Internal Investigations and Training and Personnel Divisions and other operations
27 and subdivisions presently unidentified to Plaintiff, and their tactics, methods, practices,
28 customs and usages related to internal investigations, personnel supervision and records

1 maintenance, the use and deployment of dangerous weapons, the use of force, and powers
2 of arrest by its rank and file.

3 4. Plaintiff is informed and believes and thereon alleges that each of the
4 Defendants designated as a DOE is intentionally and negligently responsible in some
5 manner for the events and happenings herein referred to, and thereby proximately caused
6 injuries and damages as herein alleged. The true names and capacities of DOES 1
7 through 10, inclusive, and each of them, are not now known to Plaintiff who therefore
8 sues said Defendants by such fictitious names and will be added to this action as provided
9 by California Code of Civil Procedure Section 484.

10 5. Defendants, and each of them, did the acts and omissions hereinafter alleged
11 in bad faith and with knowledge that their conduct violated well established and settled
12 law.

13 6. The incidents complained of began in the City of Fullerton, Saturday
14 October 23, 2010. At approximately 2:00 a.m., Plaintiff MAM witnessed Fullerton PD
15 officer JONATHAN MILLER interacting with Sokha Leng in the area of 100 West
16 Amerige Avenue. Plaintiff MAM began to video record what MILLER was doing to
17 Leng. Defendant HAMPTON witnessed MAM filming MILLER's abusing Leng and
18 attacked MAM, knocking the video recorder from MAM's possession to prevent video
19 evidence adverse to MILLER from being captured. MAM was seized by HAMPTON as
20 MAM's video recorder was picked up by another person (TIM) who continued to film
21 HAMPTON's seizure of MAM, MILLER's abuse of Leng and the arrival of Defendants
22 NGUYEN, SOLORIO and REYNOSO. MAM was transported to the Fullerton Police
23 Department without having committed any public offense and without consent.

24 To corruptly justify MAM's arrest, and further to shield HAMPTON's
25 wrongful assault of MAM, Defendants MILLER, FRANK NGUYEN, DANIEL
26 SOLORIO, DOE REYNOSO and DOES 1-10 conspired to write and file willfully false
27 crime and arrest reports intentionally omitting HAMPTON's involvement with MAM
28 entirely. In furtherance of this conspiracy, NGUYEN wrote a report in which he falsely

1 claimed to have arrived at the scene to assist MILLER and witnessed Plaintiff MAM
2 “jump on Officer Miller’s back” and “wrap his hands around Officer J. Miller’s neck and
3 tried to choke him” and in defense of MILLER, NGUYEN claimed he pulled MAM off
4 Miller’s back and pushed MAM away, knowing NGUYEN and his partner had not yet
5 arrived on the scene when MAM was assaulted by HAMPTON and that MAM at no time
6 jumped on Miller’s back or attempted to choke Miller or in any unlawful manner assist
7 Leng. In furtherance of the conspiracy to justify MAM’s seizure and assault by
8 HAMPTON, and to support the suppression of HAMPTON, Defendant SOLORIO wrote
9 a police report in which he falsely claimed he’d witnessed Defendant NGUYEN take
10 MAM into custody with Defendant REYNOSO for allegedly attacking MILLER. For his
11 part, HAMPTON filed a police report in which he completely omitted his assault and
12 arrest of MAM, claiming to have arrived on scene with Corporal Contino in time to
13 witness Miller fighting with Leng. To complete his part in the conspiracy, MILLER
14 wrote and filed a crime and arrest report in which he falsely represented MAM “came up
15 behind me and grabbed me, attempting to pull me off Leng.” MILLER also falsely wrote
16 that while MILLER “was on top of Leng, MAM came up from behind me and grabbed
17 me around the neck in an attempt to strangle me”; that MILLER “pushed MAM away”
18 and took “Leng in a carotid restraint when NGUYEN arrived”; that MAM “was grabbing
19 me in my back again attempting to pull me off Leng” whereupon “NGUYEN grabbed
20 MAM and pulled him off of me;” and “NGUYEN arrested MAM.” MILLER’s report
21 was written with the knowledge MAM had at no time touched MILLER or attempted in
22 any manner to unlawfully assist Leng and that HAMPTON, not NGUYEN, arrested
23 MAM.

24 Said crime reports was designed to mislead the Orange County District
25 Attorney into filing criminal misdemeanor charges against the Plaintiff and became the
26 moving force behind the filing of a four-count Complaint assigned Case No. 10
27 MN14330 on November 17, 2010. Plaintiff was charged with allegedly violating Penal
28 Code Sections 148, 241 and 243 in which Defendant MILLER was the alleged victim.

1 Defendants KENTON HAMPTON, FRANK NGUYEN, JONATHAN W. MILLER,
2 DANIEL SOLORIO, DOE REYNOSO and DOES 1-10, continued to willfully mislead
3 the Orange County District Attorney into believing Plaintiff had committed these
4 offenses and if called as witnesses, would provide the testimony to support the
5 prosecution and conviction of the Plaintiff. In furtherance of the conspiracy to deprive
6 the Plaintiff of his constitutional rights, between June 30, 2011 and July 7, 2011,
7 MILLER and NGUYEN gave knowingly false sworn testimony claiming they witnessed
8 the Plaintiff commit the manufactured offenses and denied HAMPTON had anything to
9 do with MAM. Defendants' corruption was exposed by the introduction of MAM's
10 video recording and on July 7, 2011, Plaintiff was found not guilty of all charges.

11 Defendant SELLERS and Orange County District Attorney Reed was made
12 aware of Plaintiff's unlawful arrest prior to the commencement of MAM's trial by TIM's
13 and MAM's video recording having been given to Reed but SELLERS willfully failed
14 and refused to discipline, prosecute or otherwise hold any of his subordinates accountable
15 for the felonies they committed against MAM in violation of California law.
16 Notwithstanding CITY OF FULLERTON's and SELLERS knowledge that Defendants,
17 and particularly HAMPTON, had on numerous other prior and subsequent occasions
18 falsely accused others of crimes against themselves or other police officers, assaulted and
19 battered third parties and engaged in repeated acts of dishonesty and violence, no officer
20 involved in the gross misconduct has ever been held responsible for the criminal
21 wrongdoing by Defendants recited above as of the date of this complaint nor has any
22 police department employee who participated in the conspiracy to falsely arrest and
23 prosecute Plaintiff has been disciplined, prosecuted or otherwise made to be accountable
24 for their unlawful conduct.

FIRST CAUSE OF ACTION

**(VIOLATION OF CIVIL RIGHTS - EXCESSIVE FORCE, FALSE ARREST,
MALICIOUS PROSECUTION AND CONSPIRACY - 42 U.S.C. § 1983)**

(By Plaintiff Against All Individual Defendants)

7. Plaintiff refers to and re-pleads each and every allegation contained in paragraphs 1 through 6 of this complaint, and by this reference incorporates the same herein and make each a part hereof.

8. This action at law for money damages arises under 42 U.S.C. § 1983 and the United States Constitution, the laws of the State of California and common law principles to redress a deprivation under color of state law of rights, privileges and immunities secured to Plaintiff by said statutes, and by the First, Fourth, and Fourteenth Amendments of the United States Constitution.

9. Commencing at or about the aforementioned date and place, without cause or justification, and acting under color of law, Defendants KENTON HAMPTON, FRANK NGUYEN, JONATHAN W. MILLER, DANIEL SOLORIO, DOE REYNOSO, DOES 1-10 and each of them, intentionally and maliciously deprived Plaintiff of rights secured to him by the First, Fourth, and Fourteenth Amendments to the United States Constitution in that Defendants and each of them, subjected Plaintiff to unreasonable force, unlawful arrest, groundless criminal prosecution and a cover-up conspiracy.

10. Defendants, and each of them, carried out and perpetrated the mutually supportive conspiracy to deprive Plaintiff of his rights by participating in a corrupt effort to illegally seize, book, and fraudulently convict Plaintiff on false charges manufactured and supported by Defendants.

11. As a proximate result of the aforesaid acts and omissions of Defendants, and each of them, Plaintiff sustained great physical and mental pain and shock to his nervous system, fear, anxiety, torment, degradation and emotional distress.

12. By reason of the aforementioned acts and omissions of Defendants, and each of them, Plaintiff incurred medical and therapeutic expenses in an amount as proved.

1 13. In addition, by reason of the aforementioned acts and omissions of
2 Defendants, and each of them, Plaintiff was kept from attending to his usual occupations,
3 and has suffered loss and impairment of earnings and employment opportunities all to his
4 damage in an amount as proved.

5 14. By reason of the aforementioned acts of Defendants, and each of them,
6 Plaintiff was compelled to secure the services of an attorney at law to redress the wrongs
7 hereinbefore mentioned and by virtue thereof, Plaintiff is indebted and liable for
8 attorney's fees.

9 15. The aforementioned acts and omissions of Defendants were committed by
10 each of them knowingly, willfully and maliciously, with the intent to harm, injure, vex,
11 harass and oppress Plaintiff with a conscious disregard of Plaintiff's constitutional rights
12 and by reason thereof, Plaintiff seeks punitive and exemplary damages from Defendants,
13 and each of them, (except Defendant CITY) in an amount as proved.

14
15 **SECOND CAUSE OF ACTION**

16 **(UNLAWFUL CUSTOM AND PRACTICE UNDER SECTION 1983)**

17 (By Plaintiff Against Defendants CITY & SELLERS individually)

18 16. Plaintiff refers to and re-pleads each and every allegation contained in
19 paragraphs 1 through 15 of this complaint, and by this reference incorporates the same
20 herein and make each a part hereof.

21 17. Defendant CITY is and at all times herein mentioned has been a public
22 entity and an incorporated municipality duly authorized and existing as such in and under
23 the laws of the State of California; and at all times herein mentioned, Defendant CITY,
24 possessed the power and authority to adopt policies and prescribe rules, regulations and
25 practices affecting the operation of the Fullerton Police Department and its tactics,
26 methods, practices, customs and usages related to internal investigations, personnel
27 supervision and records maintenance, and the proper uses of force by its rank and file,
28 generally.

1 18. At all times herein mentioned, Defendants, and each of them, were
2 employees acting under the CITY's direction and control, who knowingly and
3 intentionally promulgated, maintained, applied, enforced and suffered the continuation of
4 policies, customs, practices and usages in violation of the First, Fourth and Fourteenth
5 Amendments respectively to the United States Constitution, which customs, policies,
6 practices and usages at all times herein mentioned required and encouraged the
7 employment, deployment and retention of persons as peace officers who have
8 demonstrated their brutality, dishonesty, bigotry, and numerous other serious abuses of
9 their powers as peace officers in the employment of the CITY.

10 19. Defendant CITY knowingly maintains and permits official *sub-rosa* policies
11 or customs of permitting the occurrence of the kinds of wrongs set forth above, by
12 deliberate indifference to widespread police abuses, failing and refusing to impartially
13 investigate, discipline or prosecute peace officers who commit acts of felonious
14 dishonesty and crimes of violence, each ratified and approved by CITY, FPD and
15 SELLERS.

16 20. The unconstitutional policies, practices or customs promulgated, sanctioned
17 or tolerated by Defendants CITY, FPD and SELLERS include, but are not limited to:

18 (1) Defendants CITY and SELLERS had knowledge, prior to and since
19 this incident, of repeated allegations of abuse and assaultive misconduct toward detainees
20 and arrestees. Specifically, CITY and SELLERS knew Defendants had in the past
21 committed acts of police abuse, dishonesty and prevarication;

22 (2) Defendants CITY and SELLERS had knowledge, prior to and since
23 this incident, of similar allegations of abuse and dishonesty by Defendants, and refused to
24 enforce established administrative procedures to insure the safety of detainees and
25 arrestees;

26 (3) Defendants CITY and SELLERS refused to adequately discipline
27 individual officers and employees found to have committed similar acts of abuse and
28 misconduct;

1 (4) Defendants CITY and SELLERS refused to competently and
2 impartially investigate allegations of abuse and misconduct alleged to have been
3 committed by Fullerton Police Department officers;

4 (5) Defendants CITY and SELLERS reprimanded, threatened,
5 intimidated, demoted and fired officers who reported acts of abuse by other officers;

6 (6) Defendants CITY and SELLERS covered up acts of misconduct and
7 abuse by Fullerton Police Department officers and sanctioned a code of silence by and
8 among officers;

9 (7) Defendants CITY and SELLERS rewarded officers who displayed
10 aggressive and abusive behavior towards detainees and arrestees;

11 (8) Defendants CITY and SELLERS failed to adequately train and
12 educate officers in the use of reasonable and proper force and failed to enforce the
13 department's written regulations with respect to uses of force;

14 (9) Defendant CITY and SELLERS failed to adequately supervise the
15 actions of officers under their control and guidance;

16 (10) Defendants CITY and SELLERS condoned and participated in the
17 practice of prosecuting known groundless criminal charges for the purpose of insulating
18 the CITY of FULLERTON, FPD and its officers from civil liability and reducing or
19 dismissing criminal charges against individuals in return for release from civil liability;

20 (11) Defendants CITY and SELLERS condone and encourage a conspiracy
21 of silence among their employees for the purpose of concealing and furthering wrongful
22 and illegal conduct by their employees;

23 (12) Defendants CITY, FPD and SELLERS engaged in the practice and
24 custom of withholding from criminal defendants, judges and prosecutors, known Brady
25 evidence unfavorable to their officers in violation of law and the Constitution.

26 (13) Defendants CITY, FPD and SELLERS fostered and encouraged an
27 atmosphere of lawlessness, abuse and unconstitutional misconduct, which by October
28

1 2010 and thereafter, represented the unconstitutional policies, practices and customs of
2 the CITY.

3 21. By reason of the aforesaid policies, customs, practices and usages, Plaintiff's
4 rights under the First, Fourth, and Fourteenth Amendments to the United States
5 Constitution were deprived.

6
7 **THIRD CAUSE OF ACTION**

8 **(VIOLATION OF 42 U.S.C. § 1985 (2))**

9 (By Plaintiff Against All Individual Defendants)

10 22. Plaintiff refers to and re-pleads each and every allegation contained in
11 paragraphs 1 through 21 of this complaint, and by this reference incorporates the same
12 herein and makes each a part hereof.

13 23. Commencing on October 23, 2010 and thereafter, Defendants and two or
14 more of them, in the State of California, County of Orange, by reason of Defendants'
15 animus against minorities, including Asian Americans and Cambodians of which class
16 Plaintiff belongs, invidiously discriminated and conspired together to act and to fail to act
17 as hereinbefore alleged, for the purpose of impeding, hindering, obstructing, and
18 defeating the due course of justice in the State of California and County of Orange.

19 24. Defendants, and each of them, purposefully, under color of law, planned and
20 conspired to deny Plaintiff equal protection of the laws by (a) denying the right to be free
21 from unreasonable search and seizure; and (b) denying the right not to be deprived of
22 property and liberty without due process of law.

23 25. By virtue of the foregoing, Defendants, and each of them, violated 42 U.S.C.
24 § 1985 (2).

25 26. As a direct and proximate result of the foregoing, Plaintiff has been damaged
26 as recited above and demands and is entitled to the damages recited in the First Cause of
27 Action, including but not limited to, general and punitive damages (except as to
28 Defendant CITY) and attorney's fees.

FOURTH CAUSE OF ACTION

(VIOLATION OF 42 § 1985 (3))

(By Plaintiff Against All Individual Defendants)

27. Plaintiff refers to and re-pleads each and every allegation contained in paragraphs 1 through 26 of this complaint, and by this reference incorporates the same herein and makes each a part hereof.

28. By virtue of the foregoing, Defendants and two or more of them, conspired for the purpose of depriving Plaintiff of (a) equal protection of the law; and (b) equal protection and immunities under the law; and for the purpose of preventing and hindering the constituted authorities from giving and securing to Plaintiff equal protection of the law an deprivation of liberty and property without due process of law.

29. Defendants, and each of them, did and caused to be done, an act or acts in furtherance of the object of the conspiracy, whereby Plaintiff was deprived of the rights and privileges as set forth above.

30. As a direct proximate result of the foregoing, Plaintiff has been damaged as recited above and demands and is entitled to the damages recited in the First Cause of Action, including, but not limited to, general and punitive damages (except as to Defendant CITY) and attorney's fees.

FIFTH CAUSE OF ACTION

(VIOLATION OF 42 U.S.C. § 1986)

(By Plaintiff Against All Individual Defendants)

31. Plaintiff refers to and re-pleads each and every allegation contained in paragraphs 1 through 30 of this complaint, and by this reference incorporates the same herein and makes each a part hereof.

32. Commencing on October 23, 2010, Defendants, and each of them knew and understood Plaintiff was being subjected to a deprivation of his constitutional rights and

1 were in the position and had the duty and authority to intervene to prevent the
2 wrongdoing committed against Plaintiff by Defendants.

3 33. By virtue of the foregoing, Defendants, and each of them, violated 42 U.S.C.
4 § 1986.

5 34. As a direct and proximate result of the foregoing, Plaintiff has been damaged
6 as recited above and demands and is entitled to the damages recited in the First Cause of
7 Action, including, but not limited to, general and punitive damages (except as to
8 Defendant CITY) and attorney's fees.

9
10 **PRAYER**

11 WHEREFORE, Plaintiff prays judgment against Defendants and each of them, as
12 follows:

13 **AS TO EACH CAUSE OF ACTION AS APPLICABLE**

- 14 1. For General damages according to proof;
15 2. For Special damages according to proof;
16 3. For Punitive damages as provided by law, in an amount to be proved against
17 each individual Defendant;
18 4. For attorney's fees pursuant to 42 U.S.C § 1988;
19 5. For Costs of suit;
20 6. For such other and further relief as the Court may deem proper.

21
22 Dated: August 19, 2011

MARDIROSSIAN & ASSOCIATES, INC.

23
24 By: 

25 Garo Mardirossian, Esq.
26 Armen Akaragian, Esq.
27 Lawrence D. Marks, Esq.
28 Attorneys for Plaintiff

PLAINTIFF'S JURY DEMAND

Plaintiff hereby demands trial by jury.

Dated: August 19, 2011

MARDIROSSIAN & ASSOCIATES, INC.

By: 

Garo Mardirossian, Esq.

Armen Akaragian, Esq.

Lawrence D. Marks, Esq.

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Josephine Tucker and the assigned discovery Magistrate Judge is Marc Goldman.

The case number on all documents filed with the Court should read as follows:

SACV11- 1242 JST (MLGx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☒ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT

for the

Central District of California

VETH MAM

Plaintiff

v.

CITY OF FULLERTON, (See Attachment)

Defendant

Civil Action No.

SACV11-1242-JST(MLG)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* CITY OF FULLERTON, 303 West Commonwealth, Fullerton, CA 92832

MICHAEL SELLERS, KENTON HAMPTON #1337, FRANK NGUYEN #1307,
JONATHAN W. MILLER #1350, DANIEL SOLORIO #1086, DOE REYNOSO
#UNKNOWN, 237 West Commonwealth, Fullerton, CA 92832

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Garo Mardirossian, Esq., MARDIROSSIAN & ASSOCIATES, INC.
6311 Wilshire Boulevard, Los Angeles, CA 90048-5001

Thomas E. Beck, Esq., THE BECK LAW FIRM
10377 Los Alamitos Boulevard, Los Alamitos, CA 90720

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: AUG 19 2011



Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

ATTACHMENT TO SUMMONS IN A CIVIL ACTION

MICHAEL SELLERS, Chief of Police individually and as a peace officer,
KENTON HAMPTON #1337, individually and as a peace officer, FRANK
NGUYEN #1307, individually and as a peace officer, JONATHAN W. MILLER
#1350, individually and as a peace officer, DANIEL SOLORIO #1086, DOE
REYNOSO #UNKNOWN, DOES 1-10,

Defendants.

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) VETH MAM	DEFENDANTS CITY OF FULLERTON, (See Attachment)
--	--

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Garo Mardirossian, Esq., MARDIROSSIAN & ASSOCIATES, INC., 6311 Wilshire Boulevard, Los Angeles, CA 90048-5001, (323) 653-6311 Thomas E. Beck, Esq., THE BECK LAW FIRM, 10377 Los Alamitos Boulevard Los Alamitos, CA 90720, (562) 795-5835	Attorneys (If Known) _____
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II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify): _____
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ According to proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Violation of Civil Rights (42 U.S.C. § 1983); Monell Claim (42 U.S.C. § 1983), Conspiracy to Violate Civil Rights (42 U.S.C. § 1985(2), etc.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input checked="" type="checkbox"/> 446 American with Disabilities - Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Unknown, incident took place in Orange County	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date August 19, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

ATTACHMENT TO CIVIL COVER SHEET

MICHAEL SELLERS, Chief of Police individually and as a peace officer,
KENTON HAMPTON #1337, individually and as a peace officer, FRANK
NGUYEN #1307, individually and as a peace officer, JONATHAN W. MILLER
#1350, individually and as a peace officer, DANIEL SOLORIO #1086, DOE
REYNOSO #UNKNOWN, DOES 1-10,

Defendants.